

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:98-00140

GROVER L. DILLON, SR. and
JOSEPHINE M. DILLON

MEMORANDUM OPINION AND ORDER

By Orders dated August 10, 1999 and September 2, 1999 respectively, defendants were sentenced in this court. Among other things, the sentences of both defendants included an order of restitution. Defendant Grover Dillon was ordered to pay restitution in the amount of \$754,596.00. Defendant Josephine Dillon was ordered to pay restitution in the amount of \$603,562.28, the amount to be paid jointly and severally with her co-defendant.

By Order entered February 29, 2000, the court ordered that the amount of \$507,918.26 be paid to Marie Carter to be used for the care and maintenance of her son Allen Carter. The court also ordered that the amount of \$95,644.04, be paid to Allen Carter upon reaching his twenty-first birthday. By Orders entered August 2, 2001, and April 3, 2006, the court directed the Clerk of Court to distribute monthly payments in the amount of \$971.21 to Marie Carter, for the care and maintenance of her juvenile son, Allen Carter, from the amounts collected toward the restitution obligation in this case. Payment was to begin in August, 2001, and the checks were to be sent to the payee on or before the fifteenth day of each month. The final payment was to

be made in June 2007 - - when Allen Carter was expected to graduate from high school.

Only \$67,554.61 of the \$603,562.30 that was ordered to be paid either directly to Allen Carter or on his behalf has been disbursed. Accordingly, the Clerk is hereby ORDERED to begin making monthly payments to Allen L. Carter, at Route 3, Box 746, Bluefield, West Virginia 24701. The monthly payments will include all amounts received in the previous month. The payment for May 2009 shall also include any amounts received in previous months that are available for disbursement. The amount of the monthly payments is subject to further Order of the Court.

These monthly payments shall continue until the total amount payable to Mr. Carter (\$603,562.30) is satisfied. Once the obligation to Mr. Carter has been satisfied the court will enter a new order regarding payments to additional payees.

The Clerk is directed to send copies of this Memorandum Opinion and Order to counsel of record, the Probation Office of this court, and the United States Marshal for the Southern District of West Virginia.

It is SO ORDERED this 29th day of April, 2009.

ENTER:

A handwritten signature in dark ink, appearing to read "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge